IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.48314 of 2008
DHIRENDRA KUMAR CHOUDHARY,
SON OF LATE ASHARFI CHOUDHRY,
R/O VILLAGE- GIRIHINDA,
P.S. SHIEKHPURA, DISTRICT- SHEIKHPURA.
Versus
STATE OF BIHAR
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2. 02.12.2008. Prayer of the petitioner is for grant of bail in Sheikhpura P.S.Case No.270 f 2007 (G.R.No.660 of 2007) registered under section 353,457,380 of the Indian Penal Code.

Nobody appears on behalf of the petitioner.

However, I have perused the record and heard Mr. Ramesh Chandra, Additional Public Prosecutor, apearing for the State.

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Petitioner earlier came to this Court for grant of bail and by order dated 8.5.2008 passed in Cr.Misc.No.No.10827 of 2008, his prayer for bail was rejected and while doing so, it was observed that the petitioner may renew his prayer for bail before the court below itself after six months.

In view of the liberty given, petitioner had renewed his prayer for bail before the court below but the same has been rejected and one of the grounds to reject the prayer for bail by the Sessions Judge is rejection of bail of the petitioner by this Court earlier.

When this Court had given liberty to the

petitioner to renew his prayer for bail before the court below itself after stipulated period, the learned Judge ought to have considered the application on merit and the rejection of bail by this Court ought not to have weighed with him. petitioner is in custody since 18.1.2008.

Having heard learned counsel for the party and taking into consideration the facts and circumstances of the case, I allow this application and direct that petitioner, named above, be enlarged on bail on his furnishing personal bond of Rs.10,000/ (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Sheikhpura in connection with the afore-mentioned case.

(C.K.Prasad)

ahk

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